

PUBLIC NOTICE NO. MT-07-15
November 12, 2007

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice and hold a public hearing on the issuance of this permit. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 et seq., Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, fact sheet, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT:	City Of Bozeman PO Box 1230 Bozeman, MT 59771
FACILITY NAME:	Bozeman Wastewater Treatment Plant
FACILITY LOCATION:	255 Moss Bridge Road, Gallatin County
RECEIVING WATER:	Outfall 001: East Gallatin River
PERMIT NUMBER:	MT0022608

The Department of Environmental Quality has made a tentative decision to modify the existing Montana Pollutant Discharge Elimination System (MPDES) permit issued to the City of Bozeman, for its wastewater treatment plant. The Department is proposing to modify the existing MPDES permit as follows:

1. the effective date for the nutrient load limits has been extended to September 30, 2011; the nutrient load limits presented in the existing permit will not change, and
2. a compliance schedule has been inserted into the permit to require the facility to upgrade the hydraulic and biological treatment to meet the nutrient load limits stated above.

In accordance with the Administrative Rules of Montana (ARM) 17.30.1365(4)(b), only those conditions to be modified may be reopened and subject to public comment. All other conditions of the existing permit remain in effect. Therefore, the Department is accepting comment on Part I.F (Compliance Schedule) of the draft-modified permit

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because the permit contains enforceable load limits that prohibit an increase discharge of pollutants to surface water.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS December 21, 2007. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS December 21, 2007 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne McKittrick at WPBPublicNotices@mt.gov.

A public hearing will be held on the draft wastewater discharge permit, the statement of basis, environmental assessment, and the Department's tentative determination at the **Bozeman City Commission's boardroom on December 18, 2007, at 6:30 p.m.**

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The administrative record, including the permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

The State of Montana makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in state government. Persons needing an accommodation must notify administrative support staff no later than **December 12, 2007** to allow adequate time to make needed arrangements. You can reach staff at 444-3080 or send your request to the address noted above.

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